

## Message Text

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54

ACTION PM-04

INFO OCT-01 NEA-10 ISO-00 L-03 CIAE-00 INR-07 NSAE-00

IGA-02 OMB-01 /028 W

----- 046673

R 281600Z JUL 76

FM AMEMBASSY RABAT

TO SECSTATE WASHDC 9313

INFO SECDEF ISA/DSAA WASHDC

TREASURY WASHDC

LIMITED OFFICIAL USE RABAT 4076

E.O. 11652: N/A

TAGS: MASS

SUBJECT: GOM LEGAL OPINION UNDER FMS LOAN AGREEMENT

REF: STATE 179620 DTG 210026Z JUL 76

1. COL ACHAHBAR, SECRETARY GENERAL OF THE ADMINISTRATION OF NATIONAL DEFENSE (ADN) HAS BEEN GRANTED THE AUTHORITY BY THE MINISTRY OF FINANCE WITH APPROVAL BY THE KING TO RENDER THE NECESSARY LEGAL OPINION. TO GO BACK NOW AND TELL GOM THAT THE OPINION PROVIDED WAS UNSATISFACTORY WOULD BE AN AFFRONT TO THE KING AND ACHAHBAR. WHILE NATURALLY ACHAHBAR IS NOT A LEGAL ADVISOR SINCE HE OCCUPIES A POSITION EQUIVALENT TO THE SECRETARY OF DEFENSE WITHIN OUR GOVERNMENT, WE CONSIDER THAT THE OPINION AS DRAWN IS PROPER WITHIN MOROCCAN LAW AND IS PROBABLY MORE LEGALLY BINDING THAN IF RENDERED BY A STRICTLY LEGAL AUTHORITY. FINALLY, ACHAHBAR ADVISES THAT THERE IS NO GOVERNMENT ATTORNEY IN THEIR SYSTEM APPROPRIATE TO RENDER THIS OPINION. IN LIGHT OF THESE CONSIDERATIONS, WE WOULD CONSIDER IT MOST UNFORTUNATE TO INSIST ON WHAT WOULD APPEAR AS A GRATUITOUS GESTURE AND URGE THAT THE ISSUE BE DROPPED.

3. FOR DSAA. CHIEF MUSLO IS IN RECEIPT OF A DRAWDOWN REQUEST FOR \$10,367,716 IN FAVOR OF LOCKHEED TO PAY THE JULY INSTALLMENT. THIS WAS MAILED TO DSAA ON 22 JUL 76 BY REGISTERED MAIL NO. 7240.

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4. REQUEST EARLY ACTION TO PROCESS THE FY77 FMS LOAN AGREEMENT  
AND ASSOCIATED DOCUMENTS IN ORDER TO AVOID THE HABITUAL LAST  
MINUTE RUSH. HOPEFULLY THIS WILL ALLOW US TO HAVE ALL THE  
DOCUMENTS SIGNED BY THE OFFICIALS WHO NORMALLY DO SO. THE  
MOROCCAN AMBASSADOR IN WASHINGTON WOULD NOT NORMALLY HAVE  
AUTHORITY TO SIGN THE LOAN AGREEMENT BUT AS IN PAST YEARS HE  
WAS DELEGATED SPECIAL AUTHORIZATION FOR THE FY76 LOAN AGREEMENT.  
ANDER  
SON

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NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** FOREIGN ASSISTANCE LAW, LOAN AGREEMENTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 28 JUL 1976  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** greeneet  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1976RABAT04076  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D760292-0368  
**From:** RABAT  
**Handling Restrictions:** n/a  
**Image Path:**  
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**Legacy Key:** link1976/newtext/t19760713/aaaaalhp.tel  
**Line Count:** 70  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION PM  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 76 STATE 179620  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** greeneet  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 18 FEB 2004  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <18 FEB 2004 by morefirh>; APPROVED <13 OCT 2004 by greeneet>  
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**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** GOM LEGAL OPINION UNDER FMS LOAN AGREEMENT  
**TAGS:** MASS, MO  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006